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Perspectives on the Bush Administration's New Immigrant Guestworker Proposal

The Mexican Perspective

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The government of Mexico has generally welcomed President Bush's immigration proposal. As President Fox said in January of this year when he met with President Bush in Monterrey, Mexico, "it is a very important step in improving the relationship because the topic [of immigration] is a priority for both nations."¹ In this respect, Mexico values President Bush's initiative because it signified the importance Washington places on the bilateral relationship.

The immigration issue is in fact something both leaders had been working on long before they became heads of state. As President Fox said shortly after President Bush made his proposal, "[i]t is a program we've been working on since we were both presidents of our respective countries. We've been working on this since he was governor [of Texas] and I was governor [of Guanajuato], since he was president elect and I was president elect, and we've been working on it for the last three years. It has been a fundamental topic in bilateral relations."²

But President Fox also said that it is an initiative that has to be widely discussed and analyzed by the U.S. public and U.S. Congress. While the proposal recognizes the invaluable contributions Mexican immigrants make economically and socially to the United States, right now, it constitutes a first step in the right direction. As we all know, details are crucial; and, in these comments, I will outline a number of questions the proposal raises, which have also been raised by various Mexican government officials over the past few months. However, first I will summarize the historic pattern of Mexican immigration to the United States and the reasons for increase in the numbers.

Migration flows have evolved rapidly since the early 1970s. Since that time, Mexican immigration has become a much more complex phenomenon than many commentators realize. There are three principle factors that explain this evolution:

1. The first is an accelerated growth of Mexican migration beginning in the 1970s. Between the 1940s and 1970s, Mexico adopted an

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1. Press Release, Mexican Government, The President of the Republic, Vicente Fox, met with the President of the United States of America, George W. Bush (040112/03).

2. Press Release, Mexican Government, President Fox spoke on the telephone with President Bush about the migration reform (040107/02).

economic growth model that emphasized industrialization. This resulted in a significant decline in agriculture's contribution to Mexico's gross domestic product and, thus, displacement of Mexican agricultural workers. Moreover, Mexico's internal migration, from rural urban areas, exacerbated migration to the north. This milieu of economic transformation was marred by fiscal crises, which peaked in the 1980s, during which Mexico suffered high inflation, low wages, and increasing unemployment. The peso, you may recall, was devalued in 1976 and again 1982.

2. During this period, migrants increasingly came from the poorest regions of Mexico, who were migrating further inland in the United States to work in a wider variety of occupations.
3. Third, these new immigrants began to stay longer in the United States than their previous counterparts. Many began to develop roots in this country

Since the 1970s, the Mexican population in the United States has grown constantly. In 2002, that population was 25.5 million, of which 15.9 million were Mexican-Americans and 9.5 million were born in Mexico. It is estimated that there are some 4.8 million undocumented Mexican immigrants in the United States.³

One of the important reasons for the increase in immigration is that the historic pattern of migration has become less circular. In other words, fewer Mexicans are returning to their homeland. Why? First, there has been a change in the pattern of job growth in the U.S. that favors year-round employment in U.S. cities.

Second, more restrictive border-control policies beginning in the 1990s disrupted that circular pattern even more. The policy, coming on the heels of the signing of the North American Free Trade Agreement, focused on erecting barriers across major entry points along the U.S.-Mexico border. One of the most extensive was Operation Gatekeeper, which in 1994 was extended 66 miles inland from San Diego. Another, Operation Blockade, which was later renamed Operation Hold the Line, was extended west from El Paso, Texas, into New Mexico.

The new policy left essentially open and under guarded some of the most dangerous desert and mountain areas of the U.S.-Mexico border, and is in part the cause of the boom in human trafficking. During the past decade, an estimated 2,500 persons have died trying to get into the U.S. from Mexico.

The unintended consequence of enhanced border enforcement was the decrease in the chance of return migration. In other words, reluctant to face the new costs and higher risks of border-crossings, Mexicans who hoped to return home did not.

This brings us back to the meeting that presidents Fox and Bush held in February 2001 in Guanajuato at Fox's ranch San Cristobal. At that meeting, they

3. Gerónimo Gutiérrez Fernández, *The migration proposal of President Bush: nature, viability and relevance*, Remarks at El Colegio de México (Jan. 21, 2004).

agreed to approach the immigration issue under the principle of "shared responsibility" and to work to establish mechanisms that will achieve legal, orderly, and safe migration between Mexico and the United States.

For Mexico, the migration agenda has two major components:

1. The migration status of Mexicans already living in the United States;
2. and second, mechanisms by which Mexicans, for reasons of employment, can cross the U.S. border in a legal and secure way

The proposal presented by President Bush aims to reconcile both components through a temporary work program. It uses this program to normalize the situation of those who are already in the U.S., and on the other hand, modernizes and broadens the mechanisms for those who want to go to the U.S. to work. Mexico welcomes a program that provides legal, orderly, and safe migration that guarantees the dignity as well as the labor rights, of Mexican migrants.

However, as I mentioned earlier, President Bush's proposal raises some interesting questions; from the Mexican perspective, there are some aspects of the proposal that require special attention from those involved.

Last January, in a talk given at El Colegio de México, one of Mexico's most prestigious universities, Geronimo Gutierrez, undersecretary for North America in the Ministry of Foreign Affairs, mentioned the following⁴:

1. The efficiency and access of such a temporary work program, which may very well determine whether people will be interested in such a program.
2. The manner in which access to the program is renewed, as well as the duration of the program.
3. The process by which permanent residency, and eventually citizenship, can be attained. The proposal does not specifically eliminate these from consideration. But there are no details, even though they are of special interest to those involved.
4. The treatment that would be given to Mexican immigrants who are self-employed; they could represent a substantial number of people interested in such a program.
5. The criteria and legal regulations that guarantee family unity for migrant workers.
6. The treatment given to those under a process of administrative repatriation.
7. The criteria and legal regulations that guarantee the equality and labor rights of workers who enter such a program.
8. The convenience and feasibility to accelerate, in a parallel program with the characteristic that the application be processed at the

4. *Id.*

moment of permanent residency or citizenship.

- 9 The modalities by which both Mexico and the United States can agree the program's operating aspects.
10. After approval by the necessary authorities, the length of time necessary to implement the program.